

NCUA Chairman as chairperson. All three Committee members shall serve for one year terms and may be reappointed for additional terms. Each member of the Committee shall have one vote and a quorum (two members) shall be present at each Committee meeting. Meetings may be held in person or via teleconference. A majority vote of the full Committee (two votes) is required for action on an appeal. Regular Committee meetings shall generally be held quarterly. Additional meetings will be scheduled or regular meetings canceled, as appropriate, by the chairperson on an as needed basis.

Appeals of material supervisory determinations made by NCUA may be made by all federally insured credit unions (federal credit unions (FCUs) and federally-insured, state chartered credit unions (FISCUs)).

Material supervisory determinations are limited to: (1) Composite CAMEL ratings of 3, 4, and 5 and all component ratings of those composite ratings; (2) adequacy of loan loss reserve provisions; and (3) loan classifications on loans that are significant as determined by the appealing credit union.

An FCU, other than a corporate FCU, must contact the regional office regarding the examiner's decision within 30 days of the examiner's final determination. The decision must be appealed to (postmarked or received by) the Committee either 30 days after a regional determination or 60 days after the regional office has been contacted if it has not made a determination.

A FISCU, other than a corporate FISCU, must contact the Regional Office within 30 days of the NCUA examiner's final decision. The Region will verify that the determination being appealed was made by an NCUA examiner. If the decision was made by the state, the appeal will be turned over to the state for appropriate action. If the decision was made by the NCUA examiner, the dispute will be handed by the Region and become appealable to the Committee either 30 days after a regional determination or 60 days after the regional office has been contacted if it has not made a determination. The Committee chairperson will reverify that the determination was made by NCUA. Regional staff and the Committee will notify and consult with the state supervisory authority in appropriate cases.

All federally insured corporate credit unions (FCUs and FISCUs) must contact the Office of Corporate Credit Unions concerning its examiner's final determination and then the Committee within the same time frames. Staff from

the Office of Corporate Credit Unions and the Committee will consult with the state supervisory authority in appropriate cases involving corporate FISCUs.

The board of directors of the appealing credit union must authorize that the appeal be filed. Appeals shall be submitted in writing and shall be mailed or delivered to Chairman, Supervisory Review Committee, NCUA, 1775 Duke Street, Alexandria, VA 22314-3428.

Appeals may be made by letter, and shall include the name of the appellant credit union, the material supervisory determination being appealed and the reasons for the appeal. Appellants are encouraged to submit all information and supporting documentation relevant to the matter in dispute.

Appellants are entitled to a personal appearance before the Committee. The Committee chairperson reserves the right, however, to attempt to work out the dispute through teleconference.

The material supervisory determination remains in affect pending appeal. The appeal does not prevent the NCUA from taking any action, either formal or informal, that it deems appropriate during the pendency of the appeal.

The Committee may request additional information from the appellant and/or the Regional Office within 15 days of its receipt of the appeal. The information must be submitted to the Committee within 15 days of receipt of the Committee request. The Committee shall make a determination on the appeal within 30 days from the date of the receipt of an appeal by the Committee or of its receipt of any requested additional information. These time requirements are subject to adjustment by the Committee, whether on its own or upon request of the appellant or the Region involved.

The Committee decision is appealable to the NCUA Board within 30 days of receipt by the parties.

#### *B—Other Appeals*

Procedures for various formal and informal adjudicative and non-adjudicative actions and proceedings not covered by the Supervisory Review Committee are found in Parts 709 (creditor claim appeals), 745 (share insurance appeals), 792 (Freedom of Information Act appeals) and 747 (appeals of various administrative and enforcement actions) of the NCUA Rules and Regulations (12 CFR 709, 745, 792, and 747). These parts should be reviewed to determine the procedures which apply for a particular appeal. In addition, the NCUA Board serves as the

final administrative decision maker for major disputes that are not otherwise covered by this IRPS or Parts 709, 745, 792 or 747. These include disputes over chartering, insurance applications, field of membership expansion, merger, certain corporate credit union matters, charter changes and letters of understanding and agreement. These issues should first be pursued through the appropriate Regional Office or the Office of Corporate Credit Unions. Appeals concerning these matters should be addressed to the NCUA Board and submitted through the appropriate Regional Office or the Office of Corporate Credit Unions.

#### *C—Retaliation*

Alleged acts of retaliation should be reported to NCUA's Inspector General, who is authorized by Congress, under the Inspector General Act, to receive and investigate complaints and other information regarding abuse in agency programs and operations.

Any retaliation by NCUA staff against a credit union making any type of appeal will subject the employee to appropriate disciplinary or remedial action by the appropriate supervisor. Such disciplinary or remedial action may include oral or written warning or admonishment, reprimand, suspension or separation from employment, change in assigned duties, or disqualification from a particular assignment, including prohibition from participating in any examination of the credit union that was the subject of the retaliation.

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## **NUCLEAR REGULATORY COMMISSION**

### **Documents Containing Reporting or Recordkeeping Requirements; Office of Management and Budget (OMB) Review**

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) has recently submitted to OMB for review the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

1. Type of submission, new, revision or extension: New.

2. The title of the information collections: FOIA Customer Satisfaction Survey.

3. The form number if applicable: Not Applicable.

4. How often the collection is required: One-time.

5. Who will be required or asked to report: Voluntary submittal by requesters who receive a final response from the NRC to a Freedom of Information Act (FOIA) request during a three-month survey period.

6. An estimate of the number of responses: Approximately 200 surveys will be dispatched and an estimated 150 responses will be received.

7. An estimate of the total number of hours needed annually to complete the requirement or request: Total hours for the one-time survey is 37.5 (15 minutes per response).

8. Section 3504(h), Pub. L. 96-511 does not apply.

9. Abstract: The NRC is surveying all requesters who receive a final response from the NRC to a Freedom of Information Act (FOIA) request during a three-month survey period. The survey will assess customer perceptions of the NRC FOIA process, and will identify areas for improvement.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 2120 L Street, NW., (Lower Level), Washington, DC 20555.

Comments and questions should be directed by mail to the OMB reviewer: Troy Hillier, Office of Information & Regulatory Affairs (3150-0000), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084.

NRC Clearance Officer is Brenda Jo. Shelton, (301) 415-7233.

Dated at Rockville, Maryland, this 14th day of March, 1995.

For the Nuclear Regulatory Commission.

**Gerald F. Cranford,**

*Designated Senior Official for Information Resources Management.*

[FR Doc. 95-6732 Filed 3-17-95; 8:45 am]

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[Docket No. 030-01786; License No. 19-00296-10]

### **The National Institutes of Health Issuance of Director's Decision Under 10 C.F.R. 2.206 (DD-95-05)**

Notice is hereby given that the Director, Office of Nuclear Material Safety and Safeguards, United States Nuclear Regulatory Commission (NRC or Commission) has issued a decision concerning a Petition dated December 2, 1993, submitted by the North Bethesda Congress of Citizen's Associations

regarding the National Institutes of Health (NIH), Bethesda, Maryland.

The Petition requested that the Commission suspend License Condition 24, which authorizes NIH to incinerate radioactive waste on the Bethesda campus, pending resolution of several regulatory issues. The Petition also requested copies of the environmental assessments and/or safety evaluations that form the base for the NRC's authorization of License Condition 21, which raised the sewer disposal limit for radioactive materials to 8 Ci per year, and License Condition 28, which authorizes storage of radioactive waste at the NIH Poolesville facility. Finally, the Petition requested a copy of future correspondence between NRC and NIH regarding these matters.

After review of the Petition, the Director has determined that Petitioner's request to suspend License Condition 24 (License Condition 27 in the current License) was mooted by the removal of that Condition from the License. Petitioner's request for a copy of environmental assessments and/or safety evaluations that form the bases for authorization of license Conditions 21 and 28 cannot be granted. However, certain documents submitted by the Licensee in support of license amendment applications in connection with License Conditions 21, 24, and 28 have been supplied to Petitioner. Petitioner's request for a copy of future correspondence between NRC and NIH regarding these matters was granted. The reasons for this Decision are explained in a "Director's Decision Under 10 C.F.R. 2.206" (DD-95-05), which is available for public inspection in the Commission's Public Document Room located at 2120 L Street, N.W., Washington, D.C. 20555.

A copy of this Decision will be filed with the Secretary for the Commission's review in accordance with 10 C.F.R. 2.206(c). As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision, unless the Commission on its own motion institutes a review of the Decision within that time.

Dated at Rockville, Maryland this 5th day of March, 1995.

For the Nuclear Regulatory Commission.

**Robert M. Bernero,**

*Director, Office of Nuclear Material Safety and Safeguards.*

BILLING CODE 7590-01-M

**DIRECTOR'S DECISION UNDER 10 C.F.R.  
2.206**

### **I. Introduction**

By letter addressed to the Executive Director for Operations, dated December 2, 1993, Arlene S. Allen, on behalf of the North Bethesda Congress of Citizen's Associations, Inc. (North Bethesda Congress, or Petitioner), requested that NRC take action with respect to the National Institutes of Health (NIH, or the Licensee) in Bethesda, Maryland.

Petitioner requests that the NRC: (1) suspend License Condition 24 of the NIH Materials License No. 19-00296-10 (License), which authorizes NIH to dispose of licensed materials by incineration, pending resolution of two regulatory issues: (a) no environmental report or environmental assessment has been completed regarding the incineration of radioactive waste on NIH's Bethesda campus; and (b) there may be less than adequate monitoring to ensure that radioactive effluents are within regulatory limits; (2) provide copies of the NRC environmental assessments and/or safety evaluations that provide the bases for (a) an exception from 10 CFR § 20.303(d) limits regarding radioactive materials discharges into sanitary sewer systems (License Condition 21); and (b) approval of the construction and operation of a low level waste storage facility at NIH's Poolesville campus (License Condition 28); and (3) forward a copy of future correspondence between NRC and NIH regarding these matters to the North Bethesda Congress.

The Petitioner asserts the following as bases for these requests: (1) NIH has not completed or submitted to the NRC an environmental report regarding radiological releases from incinerators at the Bethesda campus, and the NRC has not issued an environmental assessment or impact statement regarding NIH radiological emissions, as required by the National Environmental Policy Act and 10 CFR 51.21, 51.45 and 51.60(b); (2) licensing the disposal of radioactive waste by incineration is a federal action subject to the NEPA process; (3) because releases from the NIH incinerators are capable of exceeding regulatory limits and will increase over the next few years, and because total radiological emissions from NIH are sufficient to warrant environmental analysis, the continued burning of radioactive waste by NIH without an environmental report and environmental assessment are in noncompliance with NRC environmental regulations; (4) although NRC cited NIH for its failure to adequately monitor radioactive effluents and NIH committed to install instrumentation for continuous monitoring as a corrective action for